



Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0051-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 41615-A

First Named Inventor

POLONENKO, Daniel R. et al.

COMPLETE IF KNOWN

Application Number

/

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A PROCESS FOR EX VITRO SOWING AND GERMINATION OF PLANT SOMATIC EMBRYOS

the specification of which

(Title of the Invention)

☒ is attached hereto
OR

☐ was filed on (MM/DD/YYYY) 06/11/99 as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/089,201	06/12/1998	

(Page 1 of 3)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
EDWIN J. GALE	28,584	KIMBERLEY A. LACHAINE	33,319
NORRIS M. EADES	25,263	ROBERT K. FEUTLINSKE	37,994
JOHN A. BAKER	26,656		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

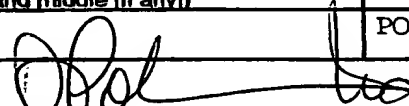
OR ☒ Correspondence address below

Name	EDWIN J. GALE				
Address	KIRBY EADES GALE BAKER				
Address	P.O. BOX 3432, STATION D.				
City	OTTAWA	State	ON	ZIP	K1P 6N9
Country	CANADA	Telephone	(613) 237-6900	Fax	(613) 237-0045

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
DANIEL R.		POLONENKO	
Inventor's Signature			Date
Residence: City	Coquitlam	State	B.C.
Country	CANADA	Citizenship	CA
Post Office Address	2345 Oneida Drive, Coquitlam, British Columbia, Canada V3J 7A7		
Post Office Address			
City	Coquitlam	State	B.C.
ZIP	V3J 7A7	Country	CANADA

☒ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

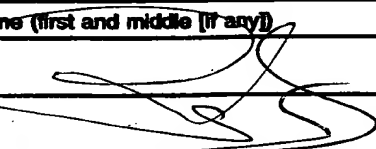
Please type a plus sign (+) inside this box → +

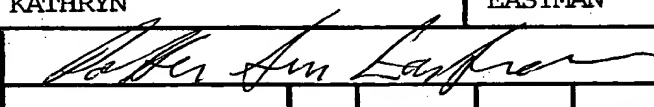
PTO/SB/02A (3-97)
Approved for use through 9/30/98. OMB 0851-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

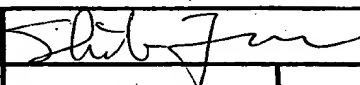
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
ERIC EVERT				VOOGT			
Inventor's Signature						Date	
						7/21/99	
Residence: City		Langley		State		B.C.	
				Country		CANADA	
Citizenship		CA					
Post Office Address							
2527 - 210th Street, Langley, British Columbia, Canada V3A 7R2							
Post Office Address							
City		Langley		State		B.C.	
				ZIP		V3A 7R2	
Country		CANADA					

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
POTTER ANN KATHRYN				EASTMAN			
Inventor's Signature						Date	
						7/26/99	
Residence: City		Vancouver		State		B.C.	
				Country		CANADA	
Citizenship		CA					
Post Office Address							
29 - 2662 Morningstar Crescent, Vancouver, British Columbia,							
Post Office Address							
Canada V5S 4P4							
City		Vancouver		State		B.C.	
				ZIP		V5S 4P4	
Country		CANADA					

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
SHIHE				FAN			
Inventor's Signature						Date	
						7/20/99	
Residence: City		Vancouver		State		B.C.	
				Country		CANADA	
Citizenship		CA					
Post Office Address							
#113 - 3280 East 58th Avenue, Vancouver, British Columbia,							
Post Office Address							
Canada V5S 3T2							
City		Vancouver		State		B.C.	
				ZIP		V5S 3T2	
Country		CANADA					

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 08/30/2000. OMB 0851-0031
 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN		Docket Number (Optional) 41615-A
Applicant, Patentee, or Identifier: <u>POLONENKO, Daniel Roman et al.</u>		
Application or Patent No.: <u>09/330,593</u>		
Filed or issued: <u>June 11, 1999</u>		
Title: <u>PROCESS FOR EX VITRO SOWING AND GERMINATION OF PLANT SOMATIC EMBRYOS</u>		
I hereby state that I am <input type="checkbox"/> the owner of the small business concern identified below; <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below.		
NAME OF SMALL BUSINESS CONCERN: <u>SILVAGEN INC.</u>		
ADDRESS OF SMALL BUSINESS CONCERN: <u>BC Research and Innovation Complex, 3650 Westbrook Mall, Vancouver, B.C., Canada V6S 2L2</u>		
I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20418.		
I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:		
<input type="checkbox"/> the specification filed herewith with title as listed above. <input checked="" type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above.		
If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).		
Each person, concern, or organization having any rights in the invention is listed below: <input checked="" type="checkbox"/> no such person, concern, or organization exists. <input type="checkbox"/> each such person, concern, or organization is listed below.		
Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)		
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))		
NAME OF PERSON SIGNING: <u>DAN POLONENKO</u>		
TITLE OF PERSON IF OTHER THAN OWNER: <u>VP OPERATIONS</u>		
ADDRESS OF PERSON SIGNING: <u>3650 WESTBROOK MALL, VANCOUVER, BC</u>		
SIGNATURE: <u>[Signature]</u>		DATE: <u>Aug 27/99</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.